

Appl. No. 10/799,452  
Amdt. dated January 14, 2008  
Reply to Office Action of September 14, 2007

PATENT

**Amendments to the Drawings:**

The attached sheets of drawings replace the original sheets.

Attachment: Replacement Sheets

**REMARKS/ARGUMENTS**

Claims 1-8 were pending. After amendment, claims 1, 3-6 and 8 will be pending.

Claims 1 and 6-8 were objected to, and claims 1-8 were rejected under 35 USC §112 ¶2 for various reasons. In response, the claims were amended to more clearly define the claimed scope.

Claim 7 was rejected under 35 U.S.C. 101. In response, claim 7 was deleted, without prejudice, for possible renewal in this or a related patent application.

Claims 1-3 and 5-8 were rejected under 35 U.S.C. 102(b) as being anticipated by Thorner et al. (US Patent No. 6,422,941). Claim 4 was rejected under 35 U.S.C. 103(a) as being unpatentable over Thorner et al in view of Simonelli (US Patent No. 4,817,948).

In light of the amendments and the remarks below, the rejections are now moot or traversed.

**Arguments**

Claim 1, as amended, is asserted to be allowable over Thorner et al. (Thorner). Independent claim 1 was specifically amended with the following limitation:

"wherein, the generation unit designates as the instruction information, a value obtained by heightening or lowering the repulsive force specified by the acquired repulsive force information randomly."

This limitation was based upon limitations found in the original claim 2 (now canceled) which recited:

2. The game apparatus according to claim 1, wherein said generation unit designates as the instruction information, a value obtained by heightening or lowering the repulsive force specified by the acquired repulsive force information in a predetermined cycle or randomly.

Various embodiments of the present invention attempt to give the player the feel of operating a gearlever of a real vehicle by adding randomness to the gearlever forces. Specifically, the specification states: (Publication No. US2004/0198492)

[0108] A value acquired from the storage device 403 may not be directly specified as the value of the repulsive force. However, a manner in which the level of the repulsive force is heightened or lowered cyclically or by generating a random number and then instruction information is generated, may be employed.

[0110] Further, a manner in which the heightening or lowering degree is determined not by vibration as described above but by a random number may be employed. In this case, not vibration in a unique vibration number, but random vibration is transmitted to the player.

[0111] Further, the unique vibration number may be changed, a manner in which a random number is generated may be changed, or the heightening or lowering range may be changed in accordance with the game status.

The Examiner's prior rejection of claim 2 is inapplicable to claim 1, as amended. More specifically, in the rejection of claim 2, the Examiner asserted that Thorner disclosed modifying a repulsive force according to a "predetermined cycle based on the CRASH HOLD & CRASH FADEOUT values." Action, p. 4. However, the Examiner did not assert that Thorner disclose "heightening or lowering the repulsive force specified by the acquired repulsive force information randomly." In fact, the word "random" (except for RAM) does not even appear in Thorner,

Furthermore, claim 1 recites that it is the "repulsive force" that is the base value upon which the value is randomly heightened or lowered. In contrast, in the cited section in Thorner, the CRASH HOLD & CRASH FADEOUT values that are associated with a crash event of the vehicle. Accordingly, the crash event values appear to override any other forces that were applied.

For at least the above reasons, claim 1 is asserted to be allowable over Thorner.

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Independent claims 6 and 8 are also asserted to be allowable, for substantially the same reasons as claim 1, and more specifically, for the specific limitations they recite.

Claims 3-5, dependent upon claim 1 are also asserted to be allowable, for substantially the same reasons as claim 1, and more specifically, for the specific limitations they recite.

**CONCLUSION**

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested.

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,

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Attachments

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